

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ASHLEY ADAMS
716 N Barrett Lane
Christiana, DE 19702
Mailing address:
PO Box 7652
Newark, DE 19714

PLAINTIFF

v

JO ELLEN SHELDON
708 Pebble Beach Drive
Elkton, MD 21921

DEFENDANT

DISTRICT COURT

No. 04-251 JJF

JURY TRIAL

**MOTION TO DENY/DISMISS DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT**

Plaintiff, Ashley Adams, hereby moves this Honorable Court to
deny Defendant's Motion for Summary Judgment and, in support
thereof, states the following:

(1)

Rule 16 Scheduling Order was issued December 07, 2006. Section

3 Case Dispositive Motions states:

3. Case Dispositive Motions. Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before July 2, 2007. Briefing shall be pursuant to D. Del. LR 7.1.2. No case dispositive motion may be filed more than ten (10) days from the above date without leave of the Court. **The Court will issue a separate Order regarding procedures for filing summary judgment motions.**

(2)

Plaintiff, Ashley Adams has never received the 'separate Order regarding procedures for filing summary judgment motions', nor is there any such docket entry identifying an Order for procedures for filing summary judgment motion.

(2)

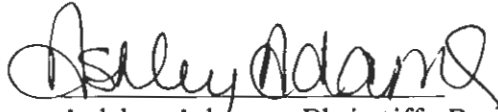
Defendant's motion for summary judgment should be denied due to the fact that no such order exists for procedures for filing summary judgment motions, and Defendant, not having any such procedure for filing a motion for summary judgment, as clearly defined in the Scheduling Order, only presumes the procedures for filing the motion for summary judgment.

(3)

Plaintiff, Ashley Adams, can not answer the Motion for the Summary Judgment filed by the Defendant, because no such procedures exist per Scheduling Order or docket entries showing such an order for procedures for filing summary judgment procedures and the procedures can not be presumed.

WHEREFORE, Plaintiff, Ashley Adams, requests the Court to

Dismiss/Deny Defendant's Motion for Summary Judgment.

A handwritten signature in black ink, appearing to read "Ashley Adams", is written over a horizontal line.

Ashley Adams, Plaintiff, *Pro se*
PO Box 7652
Newark, DE 19714

302-393-3525

Dated: July 02, 2007

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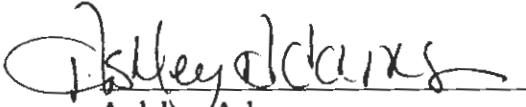
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CERTIFICATE OF SERVICE

I, Ashley Adams, hereby certify that I have served the original to the U.S. District Court by regular first-class mail on this 3rd day of July, 2007, and by regular first-class mail, true and correct copies of the attached document, addressed to:

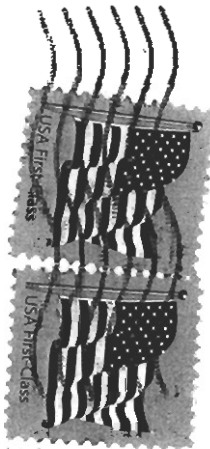
Beth Christman, ESQ
Casarino, Christman & Shalk
800 N King Street, Suite 200
PO Box 1276
Wilmington, DE 19899


Ashley Adams
PO Box 7652
Newark, DE 19714

Henley Adams
PO Box 7652
Newark, DE 19714

U.S.M.S.
X-RAV

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The United States District Court
The Honorable Judge Joseph J. Farnsworth
844 N King Street
Newark Box 744
Wilmington, DE 19801

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